

Senate File 534 - Introduced

SENATE FILE 534

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1212)

A BILL FOR

1 An Act relating to the application of certificate of need
2 requirements to specialized outpatient surgical facilities,
3 providing for fees, and including effective date and
4 applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135.61, subsection 14, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *g.* A specialized outpatient surgical
4 facility.

5 Sec. 2. Section 135.61, Code 2011, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 21A. "*Specialized outpatient surgical*
8 *facility*" means a freestanding facility, not including a
9 hospital, in which surgical abortion procedures are performed
10 after the fetus has attained a postfertilization age of
11 twenty weeks or more. For the purposes of this subsection,
12 "*postfertilization age*" means the age of the fetus as calculated
13 from fertilization of the human ovum.

14 Sec. 3. Section 135.63, subsection 2, paragraph a, Code
15 2011, is amended to read as follows:

16 *a.* Private offices and private clinics of an individual
17 physician, dentist, or other practitioner or group of
18 health care providers, except as provided by section 135.61,
19 subsection 18, paragraphs "*g*", "*h*", and "*m*", and subsections 20,
20 ~~and 21~~, and 21A.

21 Sec. 4. Section 135.64, subsection 2, Code 2011, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. *e.* In the case of a specialized outpatient
24 surgical facility, the specialized outpatient surgical
25 facility will be located in close proximity to a hospital
26 licensed pursuant to chapter 135B that is a level II regional
27 neonatology center or a level III center consistent with 641
28 IAC 150 for patients of the facility in order to preserve the
29 life or health of a pregnant woman or fetus.

30 Sec. 5. ADMINISTRATIVE RULES. The department of public
31 health shall adopt rules to determine the certificate of need
32 application fee, in accordance with section 135.63, for a
33 specialized outpatient surgical facility as defined in section
34 135.61, as amended in this Act.

35 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate

1 importance, takes effect upon enactment.

2 Sec. 7. APPLICABILITY. The provisions of this Act shall
3 apply to a specialized outpatient surgical facility offered or
4 developed in this state on or after the effective date of this
5 Act.

6 EXPLANATION

7 This bill provides that a specialized outpatient surgical
8 facility is subject to certificate of need requirements prior
9 to being offered or developed in Iowa. The bill defines
10 "specialized outpatient surgical facility"; requires that,
11 in addition to all other criteria that must be met by such a
12 facility, a certificate of need may only be granted if the
13 facility will be located in close proximity to a hospital
14 that is a level II neonatology center or a level III center;
15 and directs the department of public health to adopt rules
16 to determine the certificate of need application fee for
17 such facilities. The bill takes effect upon enactment and
18 is applicable to specialized outpatient surgical facilities
19 offered or developed in the state on or after the effective
20 date of the bill.